

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

-----	X	
ALAN BROWN,	:	Case No. 05 Civ. 11178 (NG)
	:	
Plaintiff,	:	
	:	MOTION TO COMPEL THE
-against-	:	PRODUCTION OF DOCUMENTS
	:	PURSUANT TO FED. R. CIV. P. 37(a)
STATE STREET CORPORATION	:	
and STATE STREET GLOBAL	:	
ADVISORS,	:	
	:	
Defendants.	:	
-----	X	

Defendants State Street Corporation (the "Corporation") and State Street Global Advisors ("SSgA") (collectively "State Street") respectfully move, pursuant to Federal Rule of Civil Procedure 37(a), for an Order (attached as Exhibit 1) granting this Motion and compelling plaintiff Alan Brown to produce documents in response to Requests Nos. 1, 2, 9, 10 and 11 of Defendants' Second Request for the Production of Documents, dated May 27, 2006. The grounds for this Motion are set forth in the accompanying memorandum of law.

WHEREFORE, State Street respectfully requests that its Motion be granted in its entirety. Additionally, pursuant to Fed. R. Civ. P. 37(a)(4)(A), State Street respectfully requests that the Court award State Street the attorney's fees and costs it incurred in preparing this Motion and the supporting papers.

Dated: New York, New York
August 14, 2006

Respectfully submitted,

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By: /s/ Peter Calamari
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*Attorneys for Defendants
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CERTIFICATE OF CONSULTATION

Pursuant to Local Rules 7.1(a)(2) and 37.1(b), I certify that counsel conferred and attempted in good faith to resolve or narrow the issue presented by Defendants' Motion to Compel the Production of Documents Pursuant to Fed. R. Civ. P. 37(a).

/s/ Rex Lee

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on August 14, 2006.

/s/ Rex Lee

EXHIBIT 1

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

-----	x	
ALAN BROWN,	:	Case No. 05 Civ. 11178 (NG)
	:	
Plaintiff,	:	
	:	
-against-	:	
	:	
STATE STREET CORPORATION	:	
and STATE STREET GLOBAL	:	
ADVISORS,	:	
	:	
Defendants.	:	
-----	x	

**[PROPOSED] ORDER GRANTING DEFENDANTS' MOTION TO COMPEL
DOCUMENTS PURSUANT TO FED. R. CIV. P. 37(a)**

Having considered the arguments of the parties, Defendants' Motion to Compel the Production of Documents Pursuant to Fed. R. Civ. P. 37(a) against Plaintiff Alan Brown is hereby GRANTED. Plaintiff Alan Brown is hereby ORDERED:

1. Within 10 days of the date of this Order, to produce all relevant, non-privileged documents responsive to Requests Nos. 1, 2, 9, 10 and 11 of Defendants' Second Request for the Production of Documents, dated May 27, 2006, including all documents created after March 11, 2005; and
2. When he has completed producing the materials ordered in paragraph 1, Plaintiff will certify this to the Court in writing.

SO ORDERED:

Hon. Nancy Gertner
United States District Judge
United States District Court
District of Massachusetts